

REPLY

The Applicants request reconsideration of the rejection.

Claims 1-22 are now pending.

A new title has been provided as required by the Examiner.

Claims 4, 11 and 14 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. However, the rejection only cites alleged informalities in Claim 11. Claim 11 has been amended to correct the possible antecedent basis problems, but Claims 4 and 14 appear to have no such problems.

Claims 1, 4-6, 8, 11, 14-16, and 18 were rejected under 35 U.S.C. 102(e) as being anticipated by Kodama, U.S. 6,728,849 (Kodama). The Applicants respectfully traverse, noting that Kodama is directed to a remote storage system and method that features pair remote copying, but does not disclose a snapshot scheme that employs virtualization in the case where a replication is created in a volume relating to a disk unit connected to a second control unit, with respect to an original volume located in a first control unit. Accordingly, it is believed that the structural and functional

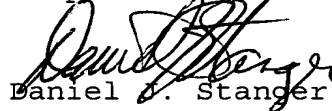
features shown in Figs. 7 and 8 (by way of example only) and described in the present specification are not disclosed or suggested by Kodama. In particular, with respect to Claims 1 and 11, Kodama does not appear to show that, in the case where a replication is created in a volume relating to a disk unit connected to a second control unit, the volume information of an original volume in a first control unit, a virtual volume information of a virtual replication volume corresponding to at least one logical volume of the second control unit, and the information on the second control unit are registered in volume pair information, and a request to create a replication is transmitted to the second control unit based on the volume pair information.

Claims 2-3 and 12-13 were rejected under 35 U.S.C. 103(a) as being obvious over Kodama in view of Bergsten, U.S. 6,073,209 (Bergsten). Claims 7 and 17 were rejected under 35 U.S.C. 103(a) as being obvious over Kodama in view of Dandrea et al., U.S. Pat. Pub. 2002/013864 (Dandrea). Claims 9-10 and 19-20 were rejected under 35 U.S.C. 103(a) as being obvious over Kodama in view of Umberger et al., U.S. Pat. Pub. No. 2004/01059958 (Umberger).

The Applicants traverse each of these obviousness rejections on the grounds that Kodama is assigned to the same Assignee as the present application (Hitachi, Ltd.) and thus is not available in a section 103(a) rejection in combination with Bergsten, Dandrea, or Umberger. 35 U.S.C. 103(c). Kodama, of course, has also been distinguished above with regard to the subject matter for which it was applied against the independent claims which are incorporated into these rejected dependent claims, and thus the dependent claims are also patentable on the grounds that the combination of Kodama with any of Bergsten, Dandrea, or Umberger fails to render obvious the claimed invention.

In view of the foregoing amendments and remarks, the Applicants request reconsideration of the rejection and allowance of the claims.

Respectfully submitted,



Daniel J. Stanger
Registration No. 32,846
Attorney for Applicants

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.
1800 Diagonal Rd., Suite 370
Alexandria, Virginia 22314
(703) 684-1120
Date: March 16, 2006